REMARKS

1. Present Status of Patent Application

This is a full and timely response to the outstanding final Office Action mailed April 21, 2005. Reconsideration and allowance of the application and presently pending claims 1-16 and 18-36 are respectfully requested.

2. Response to Rejection of Claims 1-16 and 18-36 Under 35 U.S.C. §102(e)

In the Office Action, claims 1-16 and 18-36 stand rejected under 35 U.S.C. §102(e) as allegedly anticipated by *Morris* (U.S. Patent No. 6,353,848 B1). For a proper rejection of a claim under 35 U.S.C. Section 102, the cited reference must disclose all elements/features/steps of the claim. See, *e.g.*, *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

a. Claim 1

As provided in independent claim 1, Applicants claim:

> A system for servicing imaging data comprising digital data capable of being represented as two dimensional graphics stored in a personal imaging repository by a requested web service operatively connected to a computing device requesting the service, comprising:
>
> a computing device for requesting service with the requested web service;
>
> ***a personal imaging repository associated with a particular user profile for storing imaging data that is to be accessed by the requested web service, wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services;***
>
> ***user information for allowing access to said personal imaging repository; and***
>
> ***a requested web service for servicing the imaging data stored in said personal imaging repository responsive to a request from a user and upon having access to said personal imaging repository granted upon receiving said user profile.***

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Morris* does not disclose, teach, or suggest at least the features of "a

personal imaging repository associated with a particular user profile for storing imaging data that is to be accessed by the requested web service, wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services; user information for allowing access to said personal imaging repository; and a requested web service for servicing the imaging data stored in said personal imaging repository responsive to a request from a user and upon having access to said personal imaging repository granted upon receiving said user profile," as recited and emphasized above in claim 1.

In contrast, *Morris* discloses at most an "interface enabling remote access between a client and a camera." Col. 13, lines 53-55. For example, *Morris* states:

> In step 770, executable program 700 forwards commands from a client to camera 300, and forwards images and any other data from camera 300 to client, via Web server 161 and Web browser 121 (or a program of similar function). ***That is, executable program enables a direct communication between the client computer system and the camera allowing the client to remotely access and manage the camera.*** If the client and camera are both concurrently connected to executable program 700, then the client immediately receives the data, and camera 300 immediately executes any commands from the client.

Cols. 12-13, lines 60-3. (Emphasis added). As such, *Morris* fails to disclose, teach, or suggest "a personal imaging repository . . . that is to be accessed by the requested web service," since *Morris* discloses at most a camera that is to be accessed by a client computer system, whereby a web server 161 facilitates communication between the camera 300 and the client computer system. Thus, *Morris* does not anticipate claim 1, and the rejection should be withdrawn for at least this reason.

Further, *Morris* expressly discloses:

> accessing and managing a plurality of cameras that otherwise would have to be managed and configured separately. . . . In another example, in accordance with the present invention, a client needs to go only to a single location to determine which of ***a plurality of cameras*** served by the executable program have data that have been downloaded to the Web server. Thus, instead of having to access a number of cameras separately, the present invention establishes a single location from which a client can ***access information about several cameras.***

Col. 14, lines 12-30 (Emphasis added). Therefore, *Morris* also fails to disclose "a personal imaging repository associated with a particular user." Rather, in accordance with *Morris*, a user accesses contents of a camera or a plurality of cameras. Thus, *Morris* does not anticipate claim 1, and the rejection should be withdrawn.

In addition, Applicants believe that *Morris* does not disclose, teach, or suggest at least "user information for allowing access to said personal imaging repository." For example, *Morris* discloses that "if the camera is registered, executable program 700 validates the required access information provided by the client against the security and account information provided when camera 300 was registered." Col. 12, lines 38-42 (Emphasis added). Thus, *Morris* also fails to disclose, teach, or suggest "upon having access to said personal imaging repository granted upon receiving said user profile," as recited in claim 1. Hence, *Morris* does not anticipate claim 1, and the rejection should be withdrawn for at least each singular reason alone.

Additionally, *Morris* fails to disclose, teach, or suggest "a personal imaging repository associated with a particular user profile," as claimed. In contrast, *Morris* discloses at most a digital camera storing digital images that is associated with the camera itself (and not a user profile), where the digital images may be accessed by a client computer system (that is not a web service). Thus, *Morris* does not anticipate claim 1, and the rejection should be withdrawn for at least this reason.

Further, *Morris* discloses in situations where "a client is not on-line, the camera can, for example, download images and any other data that executable program 700 stores on Web server 161." Col. 13, lines 21-24. Also, in situations where "camera 300 is not online, a client uses Web browser 121 . . . to access Web server 161 and executable program 700. The client transmits commands, and executable program 700 stores the commands on Web server 161. . . . ***Camera 300 downloads the commands and executes them***." Col. 13, lines 7-11 (Emphasis added). Thus, the Web server 161 is used to store information from the camera 300 and/or client, and does not include "a requested web service for servicing the imaging data," since the data, in *Morris*, is executed by the camera with commands that are either directly received by a user or indirectly received by

a user after temporary storage by the Web server 161. Thus, *Morris* does not anticipate claim 1, and the rejection should be withdrawn for at least this reason.

Because *Morris* fails to disclose, teach, or suggest at least the above-emphasized features of claim 1, *Morris* does not anticipate claim 1, and the rejection of claim 1 should be withdrawn.

b. Claims 2-16 and 18

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-16 and 18 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2-16 and 18 contain all the features and elements of independent claim 1. *See, e.g., In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

Additionally and not withstanding the foregoing reasons for allowability of claims 2-16 and 18, these claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record. For at least these reasons, the rejections of claims 2-16 and 18 should be withdrawn.

For example, claim 8 includes the feature "wherein said personal imaging repository further compris[es] a converter for converting imaging data to any of said plurality of file formats," which is not disclosed, taught, or suggested by *Morris*. For instance, the passage from *Morris* used to support the rejection discloses that data "can be any format that is understood by the client computer system and the digital device," which fails to disclose "a converter for converting imaging data," as alleged in the Office Action. *See* col. 5, lines 5-10. For at least this reason, the rejection of claim 8 should be withdrawn.

As an additional example, among others, claim 11 includes the feature "wherein said personal imaging repository further compris[es] a plurality of imaging data stores for storing imaging data," which is not disclosed, taught, or suggested by *Morris*. Rather, *Morris* discloses imaging data being stored in a digital camera. Thus, *Morris* does not

anticipate claim 11, and the rejection of claim 11 should be withdrawn for at least this reason.

Further, as another example, claim 14, includes the feature of "said personal imaging repository compris[ing] a composition store for storing imaging compositions of imaging data serviced as a single unit," which is not disclosed, taught, or suggested by *Morris*. Rather, *Morris* discloses raw imaging data being stored in a single digital camera. *See* col. 9, lines 19-27. Thus, *Morris* does not anticipate claim 14, and the rejection of claim 14 should be withdrawn for at least this reason.

c. Claim 19

As provided in independent claim 19, Applicants claim:

> A method for requesting service for imaging data comprising digital data capable of being represented as two dimensional graphics stored in a personal imaging repository having an image data store for storing the imaging data and a composition store for storing imaging compositions having links to the imaging data serviced as a single unit, through a computing device having a browser operatively connected to a requested web service, said method comprising the steps of:
>
> ***requesting service from the requested web service by the computing device;***
>
> ***sending user information to the requested web service enabling the web service to access the user's personal imaging repository;***
>
> ***accessing the personal imaging repository using the user information by the requested web service; and,***
>
> ***servicing the selected imaging data by the requested web service responsive to user selection from the computing device.***

(Emphasis added).

Applicants respectfully submit that independent claim 19 is allowable for at least the reason that *Morris* does not disclose, teach, or suggest at least the features of "requesting service from the requested web service by the computing device; sending user information to the requested web service enabling the web service to access the user's personal imaging repository; accessing the personal imaging repository using the user information by the requested web service; and, servicing the selected imaging data by the

requested web service responsive to user selection from the computing device," as recited and emphasized above in claim 19.

In contrast, *Morris* discloses at most an "interface enabling remote access between a client and a camera." Col. 13, lines 53-55. For example, *Morris* states:

> In step 770, executable program 700 forwards commands from a client to camera 300, and forwards images and any other data from camera 300 to client, via Web server 161 and Web browser 121 (or a program of similar function). ***That is, executable program enables a direct communication between the client computer system and the camera allowing the client to remotely access and manage the camera.*** If the client and camera are both concurrently connected to executable program 700, then the client immediately receives the data, and camera 300 immediately executes any commands from the client.

Cols. 12-13, lines 60-3. (Emphasis added). As such, *Morris* fails to disclose, teach, or suggest "accessing the personal imaging repository using the user information by the requested web service," since *Morris* discloses at most a camera that is to be accessed by a client computer system, whereby a web server 161 facilitates communication between the camera 300 and the client computer system. Thus, *Morris* does not anticipate claim 19, and the rejection should be withdrawn for at least this reason.

Further, *Morris* expressly discloses:

> accessing and managing a plurality of cameras that otherwise would have to be managed and configured separately. . . . In another example, in accordance with the present invention, a client needs to go only to a single location to determine which of ***a plurality of cameras*** served by the executable program have data that have been downloaded to the Web server. Thus, instead of having to access a number of cameras separately, the present invention establishes a single location from which a client can ***access information about several cameras.***

Col. 14, lines 12-30 (Emphasis added). Therefore, *Morris* also fails to disclose "enabling the web service to access the ***user's personal imaging repository.***" Rather, in accordance with *Morris*, a user accesses contents of a camera or a plurality of cameras. Thus, *Morris* does not anticipate claim 19, and the rejection should be withdrawn.

In addition, Applicants believe that *Morris* does not disclose, teach, or suggest at least "sending user information to the requested web service enabling the web service to access the user's personal imaging repository." For example, *Morris* discloses that "if the

camera is registered, executable program 700 validates the required access information provided by the client against the security and account information provided when camera 300 was registered." Col. 12, lines 38-42 (Emphasis added). Thus, *Morris* does not anticipate claim 19, and the rejection should be withdrawn for at least this reason.

Further, *Morris* discloses in situations where "a client is not on-line, the camera can, for example, download images and any other data that executable program 700 stores on Web server 161." Col. 13, lines 21-24. Also, in situations where "camera 300 is not online, a client uses Web browser 121 . . . to access Web server 161 and executable program 700. The client transmits commands, and executable program 700 stores the commands on Web server 161. . . . ***Camera 300 downloads the commands and executes them***." Col. 13, lines 7-11 (Emphasis added). Thus, the Web server 161 is used to store information from the camera 300 and/or client, and does not include "requesting service from the requested web service by the computing device" or "servicing the selected imaging data by the requested web service responsive to user selection from the computing device," since the data, in *Morris*, is executed by the camera with commands that are either directly received by a user or indirectly received by a user after temporary storage by the Web server 161. Thus, *Morris* does not anticipate claim 19, and the rejection should be withdrawn for at least this reason.

Because *Morris* fails to disclose, teach, or suggest at least the above-emphasized features of claim 19, *Morris* does not anticipate claim 19, and the rejection of claim 19 should be withdrawn.

c. Claims 20-35

Because independent claim 19 is allowable over the cited art of record, dependent claims 20-35 (which depend from independent claim 19) are allowable as a matter of law for at least the reason that the dependent claims 20-35 contain all the features and steps of independent claim 19. *See, e.g., In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

Additionally and not withstanding the foregoing reasons for allowability of claims 20-35, these claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record. For at least these reasons, the rejections of claims 20-35 should be withdrawn.

As one example, among others, claim 23, includes the steps of "connecting with the composition store of the personal imaging repository by the web service; obtaining a list of the imaging composition stored in the composition store by the web service; constructing a web content including a list of the imaging composition by the web service and control for selecting the available service; and, sending the constructed web content to the browser by the web service for user selection," which are not disclosed, taught, or suggested by *Morris*. Rather, *Morris* discloses raw imaging data being stored in a single digital camera. *See* col. 9, lines 19-27. Thus, *Morris* does not anticipate claim 23, and the rejection of claim 23 should be withdrawn for at least this reason.

As another example, claim 26 includes the step of "converting the imaging data in the specified format when the imaging data needs to be converted into the specified format," which is not disclosed, taught, or suggested by *Morris*. For instance, the passage from *Morris* used to support the rejection discloses that data "can be any format that is understood by the client computer system and the digital device," which fails to disclose a step of converting imaging data, as alleged in the Office Action. *See* col. 5, lines 5-10. For at least this reason, the rejection of claim 26 should be withdrawn.

d. Claim 36

As provided in independent claim 36, Applicants claim:

> A computer program product comprising a computer usable medium having computer readable program codes embodied in the medium that when executed cause a computer to:
>
> ***request service involving imaging data comprising digital data capable of being represented as two dimensional graphics from the requested web service by the computing device;***
>
> ***send user information to the requested web service enabling the web service to access a personal imaging repository associated with the sent user information, the repository containing the imaging data;***
>
> ***access the personal imaging repository using the user information by the requested web service; and,***

> ***service the selected imaging data by the requested web service responsive to user selection from the computing device.***

(Emphasis added).

Applicants respectfully submit that independent claim 36 is allowable for at least the reason that *Morris* does not disclose, teach, or suggest at least the features to "request service involving imaging data comprising digital data capable of being represented as two dimensional graphics from the requested web service by the computing device; send user information to the requested web service enabling the web service to access a personal imaging repository associated with the sent user information, the repository containing the imaging data; access the personal imaging repository using the user information by the requested web service; and, service the selected imaging data by the requested web service responsive to user selection from the computing device," as recited and emphasized above in claim 36.

In contrast, *Morris* discloses at most an "interface enabling remote access between a client and a camera." Col. 13, lines 53-55. For example, *Morris* states:

> In step 770, executable program 700 forwards commands from a client to camera 300, and forwards images and any other data from camera 300 to client, via Web server 161 and Web browser 121 (or a program of similar function). ***That is, executable program enables a direct communication between the client computer system and the camera allowing the client to remotely access and manage the camera.*** If the client and camera are both concurrently connected to executable program 700, then the client immediately receives the data, and camera 300 immediately executes any commands from the client.

Cols. 12-13, lines 60-3. (Emphasis added). As such, *Morris* fails to disclose, teach, or suggest "access[ing] the personal imaging repository using the user information by the requested web service," since *Morris* discloses at most a camera that is to be accessed by a client computer system, whereby a web server 161 facilitates communication between the camera 300 and the client computer system. Thus, *Morris* does not anticipate claim 36, and the rejection should be withdrawn for at least this reason.

Further, *Morris* expressly discloses:

> accessing and managing a plurality of cameras that otherwise would have to be managed and configured separately. . . . In another example, in

> accordance with the present invention, a client needs to go only to a single location to determine which of ***a plurality of cameras*** served by the executable program have data that have been downloaded to the Web server. Thus, instead of having to access a number of cameras separately, the present invention establishes a single location from which a client can ***access information about several cameras***.

Col. 14, lines 12-30 (Emphasis added). Therefore, *Morris* also fails to disclose "enabling the web service to access a personal imaging repository associated with the sent user information." Rather, in accordance with *Morris*, a user accesses contents of a camera or a plurality of cameras. Thus, *Morris* does not anticipate claim 36, and the rejection should be withdrawn.

In addition, Applicants believe that *Morris* does not disclose, teach, or suggest at least "send[ing] user information to the requested web service enabling the web service to access a personal imaging repository associated with the sent user information." For example, *Morris* discloses that "if the camera is registered, executable program 700 validates the required access information provided by the client against the security and account information provided when camera 300 was registered." Col. 12, lines 38-42 (Emphasis added). Thus, *Morris* does not anticipate claim 36, and the rejection should be withdrawn for at least this reason.

Further, *Morris* discloses in situations where "a client is not on-line, the camera can, for example, download images and any other data that executable program 700 stores on Web server 161." Col. 13, lines 21-24. Also, in situations where "camera 300 is not online, a client uses Web browser 121 . . . to access Web server 161 and executable program 700. The client transmits commands, and executable program 700 stores the commands on Web server 161. . . . ***Camera 300 downloads the commands and executes them***." Col. 13, lines 7-11 (Emphasis added). Thus, the Web server 161 is used to store information from the camera 300 and/or client, and does not include "request[ing] service . . . from the requested web service by the computing device" or "servic[ing] the selected imaging data by the requested web service responsive to user selection from the computing device," since the data, in *Morris*, is executed by the camera with commands that are either directly received by a user or indirectly received by a user after temporary

storage by the Web server 161. Thus, *Morris* does not anticipate claim 36, and the rejection should be withdrawn for at least this reason.

Because *Morris* fails to disclose, teach, or suggest at least the above-emphasized features of claim 36, *Morris* does not anticipate claim 36, and the rejection of claim 36 should be withdrawn.

CONCLUSION

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable re-consideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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